

Exhibit 4



Jonathan Marc Davidoff, Esq.
Davidoff Law Firm, P.L.L.C.

Admitted in: Florida, Massachusetts, New York, Tax Court and The United States Supreme Court.

7 May 2010

via US Mail and FAX (212)805-7949
Honorable P. Kevin Castel
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
Room 2260
New York, New York 10005

Re: The Pennsylvania Avenue Funds v. Inyx, Inc., et al
Case #08-cv-6857

Dear Judge Castel:

Please be advised that the Davidoff Law Firm, PLLC (specifically myself) has been engaged by Inyx, Inc., Jay Green, Jack Kachkar, and Rima Goldshmidt. I have attached a copy of my Notice of Appearance, which will be filed electronically after I receive my login information from the Clerk's office. Additionally, after receiving my login information, I will file an Answer with the Court on behalf of my clients. Furthermore, I intend on completing my clients' disclosures and filing such with the Court sometime next week.

As I previously stated in my last letter, I understand that there have been issues with my clients in regard to their counsel. I will take steps to try and avoid a repeat of these issues. However, since this litigation has been pending for almost two years, and a case with related facts has been pending for almost three years, I request a reasonable and short stay of all Discovery so that I can catch up and become educated on this case. Even though there has been no Discovery in the instant matter, Plaintiff's, David Brower, Esq., counsel has been involved with this matter for some time and has obtained Discovery from the related action in Puerto Rico and from the related Bankruptcy matter.

I have spoken with Mr. Brower and he seemed to have no objection to providing me with some time to catch up with this matter, and at some point in the near future having a status conference to discuss a revised Discovery schedule and possible mediation. Therefore, I would respectfully request that this Court reconsider my prior request and provide a three week stay to enable me to file my clients' Answer and disclosures. Furthermore, I respectfully request that you set a status conference so that the Discovery Order may be revised.

Thank you in advance for your time and patience with this matter. I am available to discuss this matter with the Court and opposing counsel, if the Court requests a telephone conference to address any of the outstanding matters. I am available at 212-587-5971.

Very Truly Yours,



Jonathan Marc Davidoff, Esq.

Enclosure

cc: David Brower, Esq. (via Email)
Clients (via Email)
Howard Koh, Esq.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE PENNSYLVANIA AVENUE FUNDS,
Individually And On Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

Civil Action No. 08-cv-06857-PKC
Honorable P. Kevin Castel

INXX INC., JACK KACHKAR, STEVEN
HANDLEY, RIMA GOLDSHMIDT,
JAY M. GREEN and BERKOVITS &
COMPANY, LLP,
Defendants.

NOTICE OF APPEARANCE

TO THE CLERK OF THE COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that Jonathan Marc Davidoff, Esq. of the Davidoff Law Firm, PLLC hereby files this Notice of Appearance on behalf of defendants INXX INC., JACK KACHKAR, RIMA GOLDSHMIDT, and JAY M. GREEN and thus appears in the above-captioned action on their behalf. Undersigned counsel respectfully requests that it be noticed of all matters and that any and all pleadings, orders, and correspondence be forwarded to undersigned counsel at the below listed address

New York, New York.

Dated: May 7, 2010

Respectfully Submitted,

By:



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 7th day of May, I will submit a true and correct copy of the foregoing via US Mail to David Bower, Esq., Bower Piven, 488 Madison Avenue, 8th Floor, New York, New York 10022 and Howard S. Koh, Esq., Meister Seelig & Fein, 2 Grand Central Tower, 140 East 45th Street, New York, New York 10017. I also certify upon receipt of my login information, I will electronically file the foregoing document with the Clerk of the Court using CM/ECF. Furthermore, I certify that I will send via US Mail and fax (212)805-7949, to the Honorable P. Kevin Castel, United States District Court, Southern District of New York, United Sattes Courthouse, 500 Pearl Street, Room 2260, New York, New York 10005 the original executed document.

Respectfully submitted,

By:


JONATHAN MARC DAVIDOFF